

UNITED STATES PATENT AND TRADEMARK OFFICE
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

Baxley

Mailed: August 17, 2010

Cancellation No. 92052879

Cancellation No. 92052883

Cancellation No. 92052884

Nova Financial & Investment
Corp.

v.

Nova Capital Management
Limited

Andrew P. Baxley, Interlocutory Attorney:

Petitioner's motions (filed August 12, 2010) to consolidate the above-captioned proceedings are granted as well-taken. Because the above-captioned proceedings involve the same parties and common questions of law or fact, the Board hereby orders their consolidation. See Fed. R. Civ. P. 42(a); *Regatta Sport Ltd. v. Telux-Pioneer Inc.*, 20 USPQ2d 1154 (TTAB 1991); *Estate of Biro v. Bic Corp.*, 18 USPQ2d 1382 (TTAB 1991); and TBMP Section 511 (2d ed. rev. 2004).

The consolidated cases may be presented on the same record and briefs. See *Helene Curtis Industries Inc. v. Suave Shoe Corp.*, 13 USPQ2d 1618 (TTAB 1989) and *Hilson Research Inc. v. Society for Human Resource Management*, 26 USPQ2d 1423 (TTAB 1993).

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The Board file will be maintained in Cancellation No. 92052879 as the "parent" case. As a general rule, from this point onward, only a single copy of any submission should be filed herein. That copy, however, should include all of the consolidated proceeding numbers in the caption thereof. However, respondent should file a separate answer in each cancellation proceeding before the parties commence the practice of filing single copies of submissions.

Despite being consolidated, each proceeding retains its separate character. The decision on the consolidated cases shall take into account any differences in the issues raised by the respective pleading; a copy of the decision shall be placed in each proceeding file.

In keeping with Board practice, the Board will adopt the discovery and trial schedule for Cancellation No. 92052884, the most recently instituted of the consolidated proceedings. See TBMP Section 511 (2d ed. rev. 2004). For the parties and the Board's convenience, that schedule is as follows.

Separate Answer in Each Case Due	9/21/10
Deadline for Discovery Conference	10/21/10
Discovery Closes	10/21/10
Initial Disclosures Due	11/20/10
Expert Disclosures Due	3/20/11
Discovery Closes	4/19/11
Plaintiff's Pretrial Disclosures	6/3/11
Plaintiff's 30-day Trial Period Ends	7/18/11
Defendant's Pretrial Disclosures	8/2/11
Defendant's 30-day Trial Period Ends	9/16/11
Plaintiff's Rebuttal Disclosures	10/1/11

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Plaintiff's 15-day Rebuttal Period Ends

10/31/11

In each instance, a copy of the transcript of testimony together with copies of documentary exhibits, must be served on the adverse party within thirty days after completion of the taking of testimony. Trademark Rule 2.125.

Briefs shall be filed in accordance with Trademark Rules 2.128(a) and (b). An oral hearing will be set only upon request filed as provided by Trademark Rule 2.129.

If either of the parties or their attorneys should have a change of address, the Board should be so informed promptly.